APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/041,881	10/24/2001	Gary Rasmussen	577172003200	4280

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OPTV/MOFO
C/O MORRISON & FOERSTER LLP
1650 TYSONS BOULEVARD, SUITE 300
MCLEAN, VA 22102

EXAMINER
SALTARELLI, DOMINIC D

ART UNIT	PAPER NUMBER
2623	

MAIL DATE	DELIVERY MODE
05/01/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/041,881	RASMUSSEN ET AL.
	Examiner	**Art Unit**	
	Dominic D. Saltarelli	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _26 February 2007_.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _8-26_ is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _8-26_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

February 25, 2007 has been entered.

Response to Arguments

2.   Applicant's arguments with respect to claims 1-25 have been considered but are

moot in view of the new grounds of rejection.

3.   Further, examiner's use of official notice that it is notoriously well known in the art

to customize applications by translating the application into different languages, allowing

people who speak different languages to understand the same display of textual or

spoken information, was not traversed, and is taken as an admission of the facts herein,

see MPEP 2144.03.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8-26 *An*

5.   Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Wistendahl et al. (5,708,845, of record) [Wistendahl] in view of Lonnroth et al.

(6,826,597, of record) [Lonnroth] and Bartok (5,737,553).

Regarding claims 8, 13, and 19, Wistendahl discloses a method for

creating links to enhanced content on a video stream (col. 2 line 30 – col. 3 line

50) comprising:

defining at least one attribute for a hot spot (user defines an association

between an object and a hyperlink, col. 10, lines 5-15);

enabling a user to halt said video stream so as to provide a single video

frame for viewing (col. 6, lines 62-65);

providing a graphical user interface for receiving from the user a geometric

outline defining a hot spot on said single video frame (col. 9 line 66 – col. 10 line

5);

assigning enhancement attributes to said hot spot based (col. 10, lines 5-

57);

storing said hot spot and said attributes in a generic format (col. 4 line 60

– col. 5 line 15);

embedding said hot spot and said attributes into a video stream (the hot

spots and IDM program are multiplexed together with video data sent over the

same data transmission link, col. 6 line 40 – col. 7 line 13); and

displaying said hot spot using a first set top box on a video screen and allowing a viewer to access said hot spot whereby said viewer may access said enhanced content (col. 4 line 60 – col. 5 line 15).

Wistendahl fails to disclose using a created template to assign attribute information to a hot spot and translating said hot spot and said attributes from said generic format into a first format prior to embedding.

In an analogous art, Bartok discloses a method for enhancing content wherein a template for assigning attributes to hot spots is created (fig. 4, binding table 102, col. 8 line 61 – col. 9 line 22 and col. 12, lines 19-27) and used to assign attribute information to a hot spot (user's assign an individual color or color code to a hot spot object, which then links the attribute to the hot spot according to the binding table [map], col. 13, lines 21-34), providing the benefit of improved linking between screen objects and executable attributes that is more processor efficient (col. 9, lines 29-35 and col. 14, lines 26-35).

It would have been obvious at the time to a person of ordinary skill in the art to modify the method disclosed by Wistendahl to include using a created template to assign attribute information to a hot spot, as taught by Bartok, for the benefit of improved linking between screen objects and executable attributes that is more processor efficient.

Wistendahl and Bartok fail to disclose translating said hot spot and said attributes from said generic format into a first format prior to embedding.

In an analogous art, Lonnroth teaches a method for translating client requested data into a format compatible with the client device (col. 3, lines 13-31) wherein content is converted into a format determined to be compatible with the requesting client prior to delivering the content to the client (col. 7, lines 40-50; col. 8, line 20 – col. 9 line 24), providing the benefit of allowing a single application to be compatible with many different types of clients (col. 10, lines 25-60).

It would have been obvious at the time to a person of ordinary skill in the art to modify the method discosed by Wistendahl and Bartok to include translating data from a generic format to a first format prior to embedding, for the benefit of allowing a single application to be compatible with many different types of clients. Wistendahl teaches cross platform compatibility is accomplished by loading the desired IDM program from a separate peripheral device (Wistendahl, col. 7, lines 29-36), a limitation which is alleviated by the teachings found in Lonnroth.

Regarding claims 14 and 20, Wistendahl, Bartok, and Lonnroth disclose the method of claims 13 and 19, further comprising translating said hot spot and said attributes from said generic format into a second format and embedding said hot spot and said attributes in said second format into a video stream (Lonnroth teaches the format is dependent upon the requesting client, col. 10, lines 35-40,

and thus two different clients would receive two different formats, which requires

a change to the template [the IDM taught by Wistendahl]).

Regarding claims 15 and 21, Wistendahl, Bartok, and Lonnroth disclose

the method of claims 14 and 19, wherein said translating is accomplished by an

XSL translator (Lonnroth, col. 9, lines 1-24).

Regarding claims 12, 16, and 22, Wistendahl, Bartok, and Lonnroth

disclose the method of claims 8, 14, and 21, wherein said first format is adapted

to be displayed on a first set top box and said second format is adapted to be

displayed on a second set top box (the first and second clients are requesting set

top boxes, as taught by both Wistendahl, fig. 3, set top box 32, and Lonnroth, col.

10, lines 53-60, and thus the template information used in filtering would include

the types of set top boxes which can display the hot spots, Lonnroth, col. 9, lines

25-38).

Regarding claims 9, 17, and 23, Wistendahl, Bartok, and Lonnroth

disclose the method of claims 8, 14, and 21, wherein said first format comprises

a first set of visual attributes and said second format comprises a second set of

visual attributes, said first set of visual attributes and said second set of visual

attributes having at least one dissimilar attribute (Lonnroth, col. 8, lines 20-53).

Regarding claims 11, 18, and 24, Wistendahl, Bartok, and Lonnroth disclose the method of claims 8, 14, and 21, wherein said first format comprises a first set of URL links and said second format comprises a second set of URL links, said first set of URL links and said second set of URL links having at least one dissimilar URL link (the IDMs being customized for each client comprise hyperlinks to World Wide Web pages or other services on the Internet, Wistendahl, col. 4 line 60 – col. 5 line 15, and Lonnroth teaches different clients will receive different links, col. 4 line 57 – col. 5 line 3).

Regarding claims 10, 25, and 26, Wistendahl, Bartok, and Lonnroth disclose the method of claims 8, 14, and 21, but fail to disclose said first format is adapted to a first language and said second format is adapted to a second language.

It is notoriously well known in the art to customize applications by translating the application into different languages, allowing people who speak different languages to understand the same display of textual or spoken information.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method disclosed by Wistendahl, Bartok, and Lonnroth to include said first format is adapted to a first language and said second format is adapted to a second language, for the benefit of allowing people who speak

different languages to understand the same display of textual or spoken

information.

Conclusion

6.   The following are suggested formats for either a Certificate of Mailing or
Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with
all correspondence concerning this application or proceeding to establish a date of
mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in
such communication being considered as timely if the established date is within the
required period for reply. The Certificate should be signed by the individual actually
depositing or transmitting the correspondence or by an individual who, upon information
and belief, expects the correspondence to be mailed or transmitted in the normal course
of business by another no later than the date indicated.

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on _____.
  (Date)

Typed or printed name of person signing this certificate:

_____

Signature: _____

Registration Number: _____

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. ( )_____ - _____ on _____.
  (Date)

Typed or printed name of person signing this certificate:

_____

Signature: _____

Registration Number: _____

Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dominic D. Saltarelli whose telephone number is (571) 272-7302. The examiner can normally be reached on Monday - Friday 9:00am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DS

ANDREW Y. KOENIG
PRIMARY PATENT EXAMINER